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# **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

To Commissioner For Patents

Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner.

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/023,069        |
| Filing Date            | December 17, 2001 |
| First Named Inventor   | Yong Yan          |
| Group Art Unit         | 2613              |
| Examiner Name          | Richard J. Lee    |
| Attorney Docket Number | US010666          |

This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on June 22, 2005  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_ (may not be a brief)

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(f))
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- a. ☒ The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 14-1270

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                      |                                   |         |
|-------------------|----------------------|-----------------------------------|---------|
| Name (Print Type) | Russell Gross        | Registration No. (Attorney/Agent) | 40,007  |
| Signature         | <i>Russell Gross</i> | Date                              | 7/15/05 |

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office tel#: 703-872-9306 on the date below:

|                   |                       |      |         |
|-------------------|-----------------------|------|---------|
| Name (Print Type) | Elissa DeLuccy        | Date | 7/19/05 |
| Signature         | <i>Elissa DeLuccy</i> |      |         |

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